## REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1-25 have been amended. No new matter has been submitted, and reconsideration of the allowability of the claims is respectfully requested.

Claims 6-7 and 17-18 have been indicated as including allowable subject matter, but remain objected to for depending from rejected base claims. Accordingly, claims 6 and 17 have been amended into independent form, thereby placing claims 6-7 and 17-18 in proper allowable form.

Claims 1-25 are pending and under consideration.

REJECTION UNDER 35 USC 112

Claims 20-25 stand rejected under 35 USC § 101 as being both directed to non-statutory subject matter and inoperative and lacking utility.  This rejection is respectfully traversed.

In accordance with the above amendments to claims 20-25, the claims have been amended to claim a medium comprising computer readable code, i.e., the claimed software object. The present application clearly supports the storage of the claimed software object, noting that a medium is not limited to only a hard drive or memory. Rather, inherently, a medium can include any medium capable of carrying or storing computer readable code, such as an optical disc, or disk drive, memory, wireless data carriers, the Internet, or any waveguide, for example only. It is respectfully submitted that the claimed medium comprising the claimed software object is statutory subject matter.

Similarly, the Office Action indicates that the claimed software object is inoperative, however, as noted above, the claimed medium comprising the software object contains the claimed elements of the software object capable of implementing the claimed function. For example, independent claim 20 sets forth that the software object defines a management policy having attributes that control behavior of a management system. Further, the defining of that management policy further accomplishes the claimed managing of the at least one network element of the communication object. Thus, the claimed medium having the claimed software object is operative, as these elements are accomplished by the operation of the software object.

Accordingly, it is respectfully requested that this rejection be withdrawn.  In addition, as

claims 24-25 stand rejected only under this § 112 rejection, it is respectfully requested that claims 24-25 be indicated as including allowable subject matter.

REJECTION UNDER 35 USC 102

Claims 1, 5, 8-13, 15-16 and 19 stand rejected under 35 USC § 102(e) as being anticipated by Buzsaki, U.S. Patent No. 6,334,193.  This rejection is respectfully traversed.

The Office Action has indicated that Buzsaki discloses all the claimed features of independent claims 1, 13 and 20. Applicants respectfully disagree.

By way of review and as an example, independent claim 1 sets forth:

"[a] method for defining a management policy for controlling behavior of a management system, said method comprising:

executing a program on a processor-based device that presents a user interface for defining said management policy;

receiving input from a user identifying management action to be performed by said management policy; and

receiving input from a user specifying a modifiable process flow for said management policy to utilize in performing said management action."

Though it was believed this feature was already inherent in the originally filed claims, the modifiability of the claimed process flow is more clearly emphasized. It is believed that this feature was inherently already required by the original claim 1 since independent claim 1 particularly claimed that the user can specify a process flow. If the process flow is not already modifiable, then the user would not be able to specify a process flow, especially in view of the discussion in the present application detailing that the conventional systems all have fixed process flows.

Thus, it is respectfully submitted that this addition of "modifiable" does not change the scope or breadth of claim 1, or independent claims 13 and 20, which have similarly been amended.

That being the case, it is respectfully submitted Buzsaki at least fails to disclose the claimed process flow being modifiable.

Applicants, in detail, explained that the referenced process flow refers to particular operations that are sequentially performed for each policy, regardless of whether this policy is user or manufacturer designated. See FIG. 3 of the present application, which illustrates that

conventionally the process flow is fixed, i.e., not modifiable. Though the actual required policy may be user definable to collect particular information or perform particular activities, the same sequencing of operations, i.e., "the process flow," is always fixed.  Thus, conventionally, even though only the logging operation is desired, using policy 302 of FIG. 3 as an example, the process flow from generate alert 303A to log 303B through thresholding 303E is performed.

Conversely, the presently claimed invention details that the process flow is modifiable, i.e., not fixed and user modifiable. See FIG. 4 of the present application, which illustrates multiple policies with different process flows.

The Office Action has indicated that Buzsaki discloses the claimed process flow. However, the process flow of Buzsaki would appear to merely correspond to the background of the presently claimed invention. There would not appear to be any support in Buzsaki that the underlying process flows are modifiable. Buzsaki would only appear to disclose that different policies are available, those from the manufacturer and those defined by the user.

Even though different process flows may be utilized for different types of alerts or errors, the underlying process flows are still fixed, i.e., each process flow would appear to require the sequential fixed procession through each operation of each process flow, regardless of whether those operations are needed. As defined in the present application, even though a user may be able to define a policy, or modify an existing policy, that policy will still require the underlying processor and system to walk through each operation within the fixed process flow of that policy.

It would appear that the outstanding Office Action may have given the term "process flow" an more broader interpretation than appropriate, considering the particular specification discussions of "process flow" and this aspect of the invention.

As a general proposition, claim limitations are to be interpreted in light of its broadest reasonable interpretation. In re Prater, 162 USPQ 541, 550-51 (CCPA 1969), cited with approval, In re Morris, 44 USPQ2d 1023, 1028 (Fed. Cir. 1997).  Further, the claims should be interpreted in light of their plain meaning as understood by one of ordinary skill in the art. In re Zletz, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989),citing, In re Prater.  However, the broadest reasonable interpretation must also conform to the broadest reasonable interpretation afforded by one of ordinary skill in the art when read in light of the specification.  In re Prater, 162 USPQ 541, 550-51, In re Morris, 44 USPQ2d at 1027, MPEP 2111.01 (7th Ed., rev. 1)(Feb. 2000).

It is respectfully submitted that when the term "process flow" is read in light of the specification, the Office Action's broad interpretation of "process flow" may not be appropriate.

Rather, a more appropriate interpretation may be that the claimed process flow corresponds to the underlying required processes or operations within each policy that a system is required to proceed through when implementing each policy. Though each policy may have particular instructions, beneath this level there are particular processes or operations that a system must proceed through to implement the required instructions.

Thus, it is accordingly submitted that Buzsaki fails to disclose at least the claimed modifiable process flow. In view of this proper interpretation of this term, it is respectfully submitted that Buzsaki similarly fails to disclose the remaining features of independent claim 1.

Independent claims 13 and 20 have similarly been amended to include the claimed "modifiable" aspect of the claimed process flow, again noting that this feature was already inherently required by each claim. Though claims 13 and 20 have differing scope and breadth from independent claim 1, it is respectfully submitted that the above arguments are equally applicable.

Therefore, for at least the above, it is respectfully requested that this rejection of claims 1, 5, 8-13, 15-16 and 19 be withdrawn and claims 1, 5, 8-13, 15-16 and 19 be allowed.

REJECTION UNDER 35 USC 103

Claims 2-4 and 20-23 stand rejected under 35 USC § 103(a) as being obvious over Buzsaki, in view of Winokur et al., U.S. Patent No. 5,483,637. This rejection is respectfully traversed.

It is respectfully submitted that Winokur et al. fails to disclose or suggest the aforementioned modifiable process flow. In addition, it is respectfully submitted that a modified Buzsaki, in view of Winokur et al., similarly would fail to disclose at least the claimed modifiable process flow. Accordingly, in view of the above, it is respectfully submitted that claims 2-4 and 20-23 are patentably distinct from Buzsaki and Winokur et al., alone or in combination.

Therefore, for at least the above, it is respectfully requested that this rejection of claims 2-4 and 20-23 be withdrawn and claims 2-4 and 20-23 be allowed.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance.  An early action to that effect is courteously solicited.

Respectfully submitted,

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